

**IN THE UNITED STATES DISTRICT COURT
FOR SOUTHERN DISTRICT OF NEW YORK**

ROY VINKEMEIER,

Plaintiff,

vs.

JACO FINANCIAL LLC,
JACK AUGSBACH,
TRINITY ASSET SERVICES a/k/a
TRINITY ASSET SERVICES. COM.,
JUROJIN INCORPORATED and
MARSHALL KLEIN,

Defendants.

And

BROWN BROTHERS HARRIMAN and
BROWN BROTHERS HARRIMAN TRUST
COMPANY, N.A.,

Relief Defendants.

Case No.: 13-CV-5934 (VSB)

ECF CASE

**NOTICE OF MOTION FOR
AN ORDER PERMITTING
ALTERNATE AND SUBSTITUTE
SERVICE PURSUANT TO
F.R.C.P. 4 SO AS TO AVOID
DISMISSAL OF NON-APPEARING
DEFENDANTS**

PLEASE TAKE NOTICE that, upon the Declaration of Paul W. Verner, Esq. dated September 29, 2014, with exhibits attached thereto, the accompanying memorandum of law, and all prior papers, pleadings, and proceedings in this action, Plaintiff, ROY VINKEMEIER, by his undersigned attorneys, Verner Simon, will move on a date convenient to this Court, before the Honorable Vernon S. Broderick, in Courtroom 518 at the United States District Court for the Southern District of New York, 40 Foley Square, New York, New York 10007, that the Court resolve the Court's *sua sponte* Order to Show Cause dated September 16, 2014 (DE#26) by issuing an Order pursuant to Fed. R. Civ. P. 4, permitting service of the Summons and Complaint on or before October 15, 2014 upon the following non-appearing Defendants in the follows specified manners:

1. Defendant, JACO FINANCIAL LLC, now defunct and revoked,
upon its former registered agent, Business Filings Incorporated, Carson City, NV;
2. Defendant, JACK AUGSBACH, deceased, by service by service upon the Estate
of Jack Augsbach which is currently believed to be maintained by his sister in
Palm Beach County Florida;
3. Defendant, TRINITY ASSET SERVICE, INC., by publication as specified
herein and by substituted service to its web service provider;
4. Defendant, JUROJIN INCORPORATED, by service upon its broker/clearing
house and the client of Brown Brothers, SIX SIS AG, a/k/a SIX Securities
Services, in that the subject Gatekeeper USA Inc. stock and money proceeds are
now resident in New York with Brown Brothers (which consensually holds them
frozen pending further order of this Court); and
5. Defendant, MARSHALL KLEIN, by publication as specified herein;

and

6. granting such other and further relief as this Court deems just and proper.

Dated: New York, New York
September 29, 2014

Respectfully submitted,

/s/Paul W. Verner

Paul W. Verner

VERNER SIMON

Attorney for Plaintiff,

ROY VINKEMEIER

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